



OVERSIGHT AND  
COMPLIANCE

OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER  
9010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-9010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT, GENERAL  
SERVICES ADMINISTRATION

SUBJECT: Charter Renewal and Membership Balance Plan Consultation – Defense  
Advisory Committee on Military Personnel Testing

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the Defense Advisory Committee on Military Personnel Testing (“the Committee”) (attached). The Committee will operate under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and in accordance with 41 CFR § 102-3.50.

Prior to filing the Committee’s charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter and membership balance plan (attached). Both documents has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O’Reilly, at 703-692-5949.

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James D. Freeman II  
Advisory Committee Management  
Officer for the Department of Defense

Attachments  
As stated

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Defense Advisory Committee on Military Personnel Testing

1. Committee's Official Designation: The committee will be known as the Defense Advisory Committee on Military Personnel Testing ("the Committee").
2. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established this discretionary Committee.
3. Objectives and Scope of Activities: The Committee shall provide advice and recommendations on matters relating to military personnel testing.
4. Description of Duties: The Committee shall provide the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), independent advice and recommendations on matters pertaining to military personnel testing for enlisted selection and classification.

The Committee shall review the calibration of the various personnel selection and classification tests to ensure the accuracy of resulting scores, review relevant validations studies to ensure that the tests have utility in predicting success in technical and on-the-job training, review on-going testing research and development in support of the enlistment program, and make recommendations to improve the testing process so that it is more responsive to the needs of the Department of Defense (DoD) and the Military Services.

5. Agency or Official to Whom the Committee Reports: The Committee reports to the Secretary of Defense and/or the Deputy Secretary of Defense through the USD(P&R). The USD(P&R), pursuant to Department of Defense (DoD) policy, may act upon the Committee's advice and recommendations.
6. Support: The DoD, through the Office of the USD(P&R), shall support the Committee and shall ensure compliance with requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$125,000.00. The estimated annual personnel cost to the DoD is 0.6 full-time equivalents.
8. Designated Federal Officer: The Committee's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD officer or employee, designated in accordance with established DoD policies and procedures.

The Committee's DFO is required to be in attendance at all meetings of the Committee and any subcommittees for the entire duration of each and every meeting. However, in the absence of the Committee's DFO, a properly approved Alternate DFO duly designated to the Committee according to established DoD policies and procedures, must attend the entire duration of all of the Committee or subcommittee meetings.



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The DFO, or the Alternate DFO, calls all Committee and subcommittee meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Committee meets at the call of the Committee's DFO, in consultation with the Committee's Chair. The estimated number of Committee meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Committee shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense renews its charter.
12. Membership and Designation: The Committee shall be comprised of no more than seven members who are appointed in accordance with DoD policies and procedures and who are eminent authorities in the fields of educational and psychological testing.

The appointment of Committee members will be authorized by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the USD(P&R), as the Sponsor, for a term of service of one-to-four years, with annual renewals, in accordance with DoD policies and procedures. Members of the Committee who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members. No member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service on the Committee, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the Committee's Chair and Vice-Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense and in doing so, shall determine the term of service for the Committee's Chair and Vice-Chair, which shall not exceed the member's approved term of service.

All members of the Committee are appointed to provide advice on the basis of their best judgment without representing any particular points of view and in a manner that is free from conflict of interest.

Except for reimbursement of official Committee-related travel and per diem, Committee members serve without compensation.

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13. Subcommittees: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the Committee's Sponsor.

Such subcommittees will not work independently of the Committee and shall report all of their recommendations and advice solely to the Committee for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Committee. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Committee, directly to the DoD or any Federal officers or employees. If a majority of Committee members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of the FACA which govern the Committee's operations.

Pursuant to Secretary of Defense policy, the USD(P&R) is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Committee or another DoD advisory committee. If the Secretary of Defense or the Deputy Secretary of Defense has not previously authorized the appointment of the individual to the Committee or another DoD advisory committee, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the USD(P&R).

Subcommittee members, with the approval of the Secretary of Defense, will be appointed for a term of service of one-to-four years, subject to annual renewals; however, no member shall serve more than two consecutive terms of service on the subcommittee, without Secretary of Defense or Deputy Secretary of Defense authorization. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the subcommittee's Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense and in doing so, shall determine the term of service for the subcommittee's Chair, which shall not exceed the member's approved term of service.

Each member, based upon his or her individual professional experience, provides his or her best judgment on the matters before the Committee, and he or she does so in a manner that is free from conflict of interest.



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With the exception of reimbursement for travel and per diem as it pertains to official travel related to the Committee or its subcommittees, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Committee and its subcommittees shall be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, as well as the appropriate DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date:

Membership Balance Plan  
Defense Advisory Committee on Military Personnel Testing

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Defense Advisory Committee on Military Personnel Testing (“the Committee”).
2. Mission/Function: The Committee shall provide the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), independent advice and recommendations on matters pertaining to military personnel testing for enlisted selection and classification.
3. Points of View: The Committee, shall be comprised of no more than seven members who are eminent authorities in the fields of educational and psychological testing:

Committee members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

The DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Committee. The Department has found that viewing the complex issues facing the Department through a multidisciplinary advisory committee, provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

The Committee’s membership balance is not static, and the Secretary of Defense may change the membership based upon work assigned to the Committee by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the Sponsor. The DoD, unless otherwise provided for by an Act of Congress or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

Each member, based upon his or her individual and professional experience, provides his or her best judgment on the matters before him or her and does so without representing any particular point of view and in a manner that is free from conflict of interest.

4. Other Balance Factors: NA
5. Candidate Identification Process: The DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals with extensive backgrounds in the fields of education and psychological testing.



Membership Balance Plan  
Defense Advisory Committee on Military Personnel Testing

Potential candidates are identified when the USD(P&R) requests recommendations from senior career and political officials within DoD and from former and existing Committee members.

Once potential candidates are identified, the Designated Federal Officer reviews the credentials of each individual and narrows the list of candidates. During the review, he or she strives to achieve a balance between the professional credentials of the individuals and the near-term subject matter to be reviewed by the Committee to achieve expertise in points of view to be represented and functions to be performed.

After the list of candidates has been narrowed, it is forwarded to the USD(P&R) for review and formal nomination to the Secretary of Defense or the Deputy Secretary of Defense. Prior to nominating the potential candidates, the list will undergo a review by the Office of the General Counsel for the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Committee's charter, and membership balance plan. Following this review, the USD(P&R) discusses his or her potential nominees with the Secretary of Defense or the Deputy Secretary of Defense and requests authority to proceed with the nominations.

The USD(P&R) is authorized to administratively certify the appointment of Committee members that were previously authorized by the Secretary of Defense or the Deputy Secretary of Defense. Consistent with Deputy Secretary of Defense policy and the authority delegated to the Advisory Committee Management Officer (ACMO) by the Assistant Deputy Chief Management Officer, the ACMO is authorized to administratively certify the annual renewal of appointment of Committee members. Consistent with the authority delegated to DoD Sponsors, the USD(P&R) will appoint the Committee's Chair and Vice Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense.

Following the Secretary of Defense or the Deputy Secretary of Defense authorization and the USD(P&R)'s subsequent administrative certification of the appointment, the candidates are required to complete the necessary appointment paperwork, to include meeting the appropriate ethics requirements stipulated by the Office of Government Ethics for advisory Committee members.

Committee members, with the approval of the Secretary of Defense, will be appointed for a term of service of one-to-four years, subject to annual renewals. No member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service on the Committee, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Membership vacancies for the Committee will be filled in the same manner as described in the previous six paragraphs above.

Membership Balance Plan  
Defense Advisory Committee on Military Personnel Testing

6. Subcommittee Balance: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee.

Individuals considered for appointment to any subcommittee of the Committee may come from the Committee itself or from new nominees, as recommended by the USD(P&R) and based upon the subject matters under consideration. Pursuant to Secretary of Defense policy, the USD(P&R) is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Committee or another DoD advisory committee. If the Secretary of Defense or the Deputy Secretary of Defense has not previously authorized the appointment of the individual to the Committee or another DoD advisory committee, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the USD(P&R).

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the subcommittee's Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense and, in doing so, shall determine the term of service, which shall not exceed the member's approved term of service.

Subcommittee members, with the approval of the Secretary of Defense, will be appointed for a term of service of one-to-four years, subject to annual renewals; however, no member shall serve more than two consecutive terms of service on the subcommittee, without prior authorization by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members pursuant to 41 C.F.R. § 10-3.130(a).

7. Other: As nominees are considered for appointment to the Committee and/or its subcommittees, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions (79 FR 47482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared/Updated: